APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,246	01/30/2006	Avshalom Ehrlich	26/783	5469

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EXAMINER
GAMI, TEJAL

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
10/29/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 July 2009</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-16</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____ .
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   This office action is responsive to an AMENDMENT entered July 19, 2009 for the

patent application 10/566246.

Status of Claims

2.   Claims 1-16 were rejected in the last Office Action dated April 30, 2009.

Claims 1-16 are now presented for examination in this office action.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Rahim

(U.S. Patent Number: 5,155,683)

As to independent claim 1, Rahim discloses a method to provide feedback to

an operator (e.g., feedback loops) of a device (e.g., vehicle) (see Col. 12, Lines 55-64),

comprising the steps of:

a) providing a device (e.g., vehicle) having a feedback delay (e.g., a delay is

introduced into the feedback loop) (see Col. 2, Lines 3-16);

b) displaying upon at least a portion of a display a first image of a view from said

device (e.g., screen image) (see Col. 2, Lines 3-16), said device (e.g., vehicle) being at

a first position (e.g., ground position) (see Col. 2, Lines 3-16);

c) issuing a movement command to cause a desired movement of said device to

a second position (e.g., operator's commands to the vehicle) (see Col. 2, Lines 3-16);

and

d) prior to the operator receiving real feedback of said movement command (e.g.,

vehicle's intended path is displayed) (see Col. 4, Lines 62-63);

i) predicting a second image of a view from said device at said second

position (e.g., projected path) (see Col. 5, Line 35), said predicting including a

processor (e.g., vehicle's computer) (see Col. 5, Lines 23-24) modifying said first

image according to an operation selected from the group consisting of

translation, rotation, magnification and reduction (e.g., zooms, pans or tilts) (see

Col. 5, Lines 13-18), and

ii) displaying said second image substantially on said at least portion of

said display on which said first image is displayed (e.g., superimposed on the

image) (see Col. 4, Line 64), said second image replacing said first image (e.g.,

replace the old) (see Col. 5, Lines 19-22).

As to independent claim 11, Rahim discloses a feedback system (e.g.,

feedback loops) for an operator (e.g., operator loop) (see Col. 12, Lines 55-64),

comprising:

a) a device (e.g., vehicle) including a camera (e.g., camera 30) (see Col. 6, Lines 55-56);

b) a control arrangement configured for issuing a movement command (e.g., commands to the vehicle) to cause a desired movement of said device from a first position to a second position (e.g., responds to the commands by moving) (see Col. 3, Lines 50-53); and

c) a display (e.g., screen image) (see Col. 2, Lines 3-16) configured for:

i) displaying, upon at least a portion of said display (e.g., screen image), a first image of a view from said device (e.g., vehicle), said device being at a first position (e.g., ground position) (see Col. 2, Lines 3-16); and

ii) prior to the operator receiving real feedback of said movement command (e.g., vehicle's intended path is displayed) (see Col. 4, Lines 62-63):

A) predicting a second image of a view from said device at said second position (e.g., projected path) (see Col. 5, Line 35), said predicting including a processor (e.g., vehicle's computer) (see Col. 5, Lines 23-24) modifying said first image according to an operation selected from the group consisting of translation, rotation, magnification and reduction (e.g., zooms, pans or tilts) (see Col. 5, Lines 13-18), and

B) displaying said second image substantially on said at least portion of said display on which said first image is displayed (e.g., superimposed on the image) (see Col. 4, Line 64), said second image replacing said first image (e.g., replace the old) (see Col. 5, Lines

19-22).

As to dependent claim 2, Rahim teaches the method of claim 1, wherein said

second image is based upon at least part of said first image (e.g., superimposed on the

image) (see Col. 4, Line 64).

As to dependent claim 3, Rahim teaches the method of claim 2, wherein said

second image includes a filler section (e.g., grid) outside of said at least part of said first

image (see Figure 3).

As to dependent claim 4, Rahim teaches the method of claim 3, wherein said

filler section includes a pattern (e.g., grid) (see Figure 3).

As to dependent claim 5, Rahim teaches the method of claim 4, wherein said

filler section includes a repetitive pattern (e.g., grid) (see Figure 3).

As to dependent claim 6, Rahim teaches the method of claim 3, wherein said

filler section includes historic image data of said predicted view (e.g., operator sees a

frame taken some time ago) (see Col. 5, Lines 28-29).

As to dependent claim 7, Rahim teaches the method of claim 1, further

comprising the step of:

  e) displaying a third image of an actual view from said device at said second position

  (e.g., real time images) (see Col. 13, Lines 18-19).

As to dependent claim 8, Rahim teaches the method of claim 1, further

comprising the step of:

  e) limiting said movement command to ensure that said second image can be

based upon at least part of said first image (e.g., relative to ground points, the

recalculated path line is superimposed on the screen and the operator can correct the projected vehicle path) (see Col. 5, Lines 30-35).

As to dependent claim 9, Rahim teaches the method of claim 1, wherein said step of issuing said movement command and said step of displaying said second image, occur substantially at the same time (e.g., instantaneous view) (see Col. 5, Lines 23-28).

As to dependent claim 10, Rahim teaches the method of claim 1, wherein said step of displaying said first image is performed by displaying said first image on a screen, said screen having a frame disposed thereon, said first image being disposed substantially within said frame and wherein said step of displaying said second image is performed by displaying said second image on said screen such that, said second image includes substantially all image elements of said first image (e.g., superimposed on the image) (see Col. 4, Line 64).

As to dependent claim 12, Rahim teaches the system of claim 11, wherein said display is further configured for displaying a third image of an actual view from the device at said second position (e.g., real time images) (see Col. 13, Lines 18-19).

As to dependent claim 13, Rahim teaches the method of claim 3, wherein said filler section includes filler image data (e.g., grid) (see Figure 3) and wherein at least a portion of said filler image data is manipulated (e.g., extended) in a manner substantially corresponding to said movement command (e.g., control) (see Col. 5, Lines 1-12).

As to dependent claim 14, Rahim teaches the system of claim 11, wherein said second image is based upon at least part of said first image and wherein said second image includes a filler section outside of said at least part of said first image and wherein said filler section includes filler image data (e.g., grid) (see Figure 3) and wherein at least a portion of said filler image data is manipulated (e.g., extended) in a manner substantially corresponding to said movement command (e.g., control) (see Col. 5, Lines 1-12).

As to dependent claim 15, Rahim teaches the method of claim 1, wherein said device is a vehicle operative to be remotely controlled (e.g., remotely controlled vehicle) (see Col. 4, Line 31; and Col. 6, Lines 51-63).

As to dependent claim 16, Rahim teaches the system of claim 11, wherein said device is a vehicle operative to be remotely controlled (e.g., remotely controlled vehicle) (see Col. 4, Line 31; and Col. 6, Lines 51-63).

Response to Arguments

5.   Applicant's amendment and arguments filed July 19, 2009 have been fully considered. The amendment does not overcome the original art rejection and the arguments are not persuasive. The following are the Examiner's observations in regard thereto.

Applicant Argues:

Path line 12 is not an image of a view of anything.

Examiner Responds:

Examiner is not persuaded. See office action above, particularly prior art Col. 4,

Lines 62-64 where the vehicle's intended path is displayed (e.g., predicted image).

Under such considerations, the prior art anticipates the claims as written.

Applicant Argues:

Furthermore, path line 12 is not "predicted".

Examiner Responds:

Examiner is not persuaded. As shown in the office action above, the prior art

discloses that intended path is the projected path. Examiner is using the dictionary

definition of predicted to mean to project something in the future. Under such

considerations, the prior art anticipates predicting.

Applicant Argues:

Path line 12 is modified to reflect changes in the image as seen by camera 30 with the
vehicle still at its first position, not at its second position. Path line 12 does not replace
the image on which it is drawn.

Examiner Responds:

Examiner is not persuaded. The prior art clearly teaches a new frame will

"replace" the old, shown in Col 5, Line 21. This image is continuously modified as

shown in Col. 5, Lines 30-35 "for each new screen the path line is recalculated from the

reported position of the vehicle relative to the ground points…and the operator can

quickly receive the new situation of the vehicle." Under such considerations, the prior

art anticipates modifying and replacing the first image.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tejal J. Gami whose telephone number is (571) 270-1035. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                                        /Albert DeCady/
                                                        Supervisory Patent Examiner, Art
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/TJG/